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**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF UTAH, CENTRAL DIVISION**

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SAMUEL BURNINGHAM,  
  
Plaintiff,  
  
vs.  
  
OLD NAVY, LLC, D.B.A.  
OLD NAVY #3794,  
  
Defendant.

**STIPULATION OF DISMISSAL  
WITH PREJUDICE**

Case No. 2:17-cv-858-JNP-DBP

Judge Jill N. Parrish  
Magistrate Judge Dustin B. Pead

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Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Samuel Burningham and Defendant Old Navy, LLC, d.b.a. Old Navy #3794, by and through their undersigned counsel, hereby stipulate and agree that this action shall be DISMISSED WITH PREJUDICE, with each party to bear its own costs, expenses, and attorneys' fees.

[Signature page follows]

Dated: October 26, 2017.

/s/ Michael P. Studebaker (with permission)

Michael P. Studebaker (USB #10027)  
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/s/ C. Michael Judd

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*Attorneys for Defendant Old Navy, LLC*

**CERTIFICATE OF SERVICE**

I hereby certify that on October 26, 2017, I caused to be delivered, via the court's electronic filing system, email, or otherwise by first class mail postage prepaid if needed, a true and correct copy of the foregoing **STIPULATION OF DISMISSAL WITH PREJUDICE**, to the following:

Michael P. Studebaker (mike@utahadaadvocates.com)  
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Ogden, UT 84404  
*Attorney for Plaintiff*

By: /s/ C. Michael Judd  
C. Michael Judd